

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

*In re Dealer Management Systems Antitrust  
Litigation, MDL 2817*

*This document relates to:*

*Motor Vehicle Software Corp. v. CDK Global,  
LLC, et al., Case No. 1:18-cv-00865 (N.D. Ill.)*

No. 1:18-CV-864

Hon. Robert M. Dow, Jr.

Magistrate Judge Jeffrey T. Gilbert

**DECLARATION OF LEO D. CASERIA**

I, Leo D. Caseria, declare as follows:

1. I am a partner with the law firm of Sheppard, Mullin, Richter & Hampton LLP, and counsel of record for Defendant The Reynolds and Reynolds Company (“Reynolds”) in the above-captioned case. I have sufficient personal knowledge of the facts set forth herein that, if called as a witness, I could and would testify competently thereto. I respectfully submit this declaration in support of The Reynolds and Reynolds Company’s Motion to Exclude the Opinions and Proffered Testimony of Plaintiff MVSC’s Expert Gordon Klein.

2. Attached as **Exhibit A** is a true and correct copy of excerpts from the deposition transcript of Gordon Klein, taken on January 10, 2020.

3. Attached as **Exhibit B** is a true and correct copy of Defendants’ Exhibit 1213 to the deposition of Gordon Klein, a letter from the Wisconsin DOT to Joe Nemelka dated February 23, 2017.

4. Attached as **Exhibit C** is a true and correct copy of CDK’s 3PA Program Partner List for vehicle registration, available at [https://www.cdkglobal.com/us/partners-list?keys=&field\\_business\\_area\\_target\\_id=All&field\\_application\\_area\\_target\\_id=3361](https://www.cdkglobal.com/us/partners-list?keys=&field_business_area_target_id=All&field_application_area_target_id=3361) (last

visited 2/25/20).

5. Attached as **Exhibit D** is a true and correct copy of the letter from Leo Caseria to Derek Ho dated January 31, 2020.

6. Attached as **Exhibit E** is a true and correct copy of the email response from Christine Bonomo to Leo Caseria dated February 7, 2020.

7. Attached as **Exhibit F** is a true and correct copy of the expert report of Gordon Klein dated August 26, 2019.

8. Attached as **Exhibit G** is a true and correct copy of the expert reply report of Gordon Klein dated December 19, 2019.

9. Attached as **Exhibit H** is a true and correct copy Defendants' Exhibit 1217 to the deposition of Gordon Klein, the Declaration of Joseph Nemelka dated August 26, 2019.

10. Attached as **Exhibit I** is a true and correct copy of excerpts from the expert report of Daniel L. Rubinfeld in response to MVSC, dated November 15, 2019.

11. Attached as **Exhibit J** is a true and correct copy of Defendants' Exhibit 1211 to the deposition of Gordon Klein, an email from the Wisconsin DOT to Joe Nemelka dated July 16, 2013.

12. Attached as **Exhibit K** is a true and correct copy of Defendants' Exhibit 1212 to the deposition of Gordon Klein, a letter from the Wisconsin DOT to Joe Nemelka dated August 7, 2014.

13. Attached as **Exhibit L** is a true and correct copy of excerpts from the expert reply report of Mark A. Israel dated December 19, 2019.

14. Attached as **Exhibit M** is a true and correct copy of Defendants' Exhibit 1214 to the deposition of Gordon Klein, an email from the Wisconsin DOT dated March 15, 2019.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 28<sup>th</sup> day of February, 2020, in Washington, D.C.

*/s/ Leo D. Caseria*

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Leo D. Caseria

**CERTIFICATE OF SERVICE**

I, Leo D. Caseria, an attorney, hereby certify that on February 28, 2020, I caused a true and correct copy of the foregoing **DECLARATION OF LEO D. CASERIA** to be filed and served electronically via the court's CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/s/      *Leo D. Caseria*  
Leo D. Caseria  
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